

NO. 1050
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DATE FILED: 12/19/07

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
MAVIS GALLIER,

Plaintiff,

-against-

HOME DEPOT U.S.A. INC.,

Defendant.
-----X

WHEREAS, the Court issued an Order for a Conference in accordance with Fed. R. Civ.P. 16 (b) on December 4, 2007 (the "Order"); and

WHEREAS, the Order requires that the parties jointly prepare and sign a proposed scheduling order containing certain information;

NOW, THEREFORE, the parties hereby submit the following information as required by the Order:

(1) Appearances

Plaintiff: Mavis Gallier- Mallilo & Grossman

by: Frank Pomara, Esq. RANDY MILLER, Esq.

Defendant: Home Depot U.S.A. Inc. - Donovan Hatem, LLP.

by: David M. Pollack, Esq.

(2) A concise statement of the issues as they then appear;

Plaintiff alleges she tripped and fell on account of debris in Defendant's parking lot. Defendant denies that there was debris and asserts that the parking lot was properly maintained.

(3) (a) The names of the currently known persons to be deposed are;

Plaintiff Mavis Gallier by: April 30, 2008;

(b) Parties to serve Requests for Production of Documents and Interrogatories by January 15, 2008.

Parties to respond to Requests for Production of Documents and Interrogatories by: February 20, 2008.

(ii) Plaintiff's expert report(s) due by: May 9, 2008

Defendant's expert report(s) due by June 9, 2008
Plaintiff's expert deposition by May 30, 2008
Defendant's expert deposition by June 30, 2008.

- (d) Discovery is to be completed: June 30, 2008.
- (e) Plaintiff will supply her pre-trial order matters to defendant by August 10, 2008 *July 11*
- (f) The parties will submit a pre-trial order in a form conforming with the Court's instructions together with trial briefs and either (1) proposed findings of fact and conclusions of law for a non-jury trial, or (2) proposed voir dire questions and proposed jury instructions for a jury trial by September 3, 2008 *July 25*
- (g) The final Pre-Trial Conference pursuant to Fed. R. Civ. P. 16(d) will be held on: *July 9 at 4:30*

(4) A statement of any limitations to be placed on discovery, including any protective or confidentiality orders;

Currently not applicable.

(5) A statement of those discovery issues, if any, on which counsel, after a good faith effort, were unable to reach an agreement:

Currently not applicable.

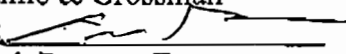
(6) Anticipated fields of expert testimony, if any;
Medical.

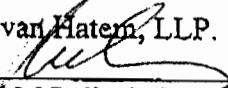
(7) Anticipated lengths of trial and whether to court or jury;

2 days.

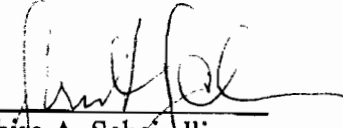
(8) This Scheduling Order may be altered or amended only on a showing of good cause not foreseeable at the time of the conference or when justice so requires;

(9) names, addresses, phone numbers and signatures of counsel;

Plaintiff: Mallilo & Grossman
By: 
Frank Pomara, Esq.
163-09 Northern Boulevard
Flushing, New York 11358
(718) 951-7546

Defendant: Donovan Hatem, LLP.
By: 
David M. Pollack (DP6143)
One Penn Plaza, Suite 3324
New York, New York 10119
(212) 244-3333

SO ORDERED:


Shira A. Scheindlin
U.S.D.J.
01129431
12/19/07